GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

A.P. State Judicial Service – District Judges - Disciplinary action against Sri V.Appa Rao, Former Principal District Judge, Srikakulam, now retired from service – Imposition of Penalty of withholding fifty percent (50%) of admissible pension permanently, with effect from 01.12.2021- Orders – Issued.

LAW (LA&J – SC.F) DEPARTMENT

G.O.Ms.No.16

Dated:11.04.2023.

Read the following:-

1. Preliminary Enquiry Report submitted by District Judge (Enquiries) dt.30.04.2016.
2. High Court's Proceedings Roc.No.1830&1965/2015-VIGILANCE CELL dt.03.01.2017.
3. Written Statement of Sri V. Appa Rao, the Charged Officer, dt.13.04.2017
4. High Court's Proceedings Roc.No.1830&1965/2015-VIGILANCE CELL dt.11.07.2017.
5. Enquiry Report of the Hon'ble Sri Justice M.Satyanaraya Murthy, Inquiring Judge dt.17.06.2020
6. High Court's Proceedings Roc.No.1830&1965/2015-VIGILANCE CELL dt.22.03.2021.
7. Explanation of Sri V.Appa Rao, the Charged Officer, dt. 27.05.2021.
8. High Court's Proceedings Roc.No. 1830&1965/2015-VIGILANCE CELL dt.09.12.2021.
9. Govt.Memo.No.1473110/SC.F/A2/2021, dated 12.05.2022.
10. Explanation of Sri V.Appa Rao, the Charged Officer, dt. 21.08.2022.
11. Govt. Lr.No.1473110/A2/2021/SC.F, dated 15.02.2023
12. From the Secretary, A.P.Public Service Commission, Vijayawada, File No.GAD03-APPS0DCC/31/2023-DC.SEC-APPSC (Computer No. 2002944), dt.29.03.2023.

-oOo-

ORDER:

The common Hon'ble High Court having considered complaint petitions with certain allegations of corruption and bias attitude etc., received against Sri V.Appa Rao, former Principal District Judge, Srikakulam, now retired from service, framed nine (9) Article of Charges against him under Rule 20 of the APCS (CCA) Rules, 1991 for the following delinquency:-

"Sri V. Appa Rao, Chairman, Permanent Lok-Adalat, Kadapa, while working as Principal District Judge, Srikakulam, AP State maintained close rapport with some advocates and showed favourtism to the advocates who are either his class-mates or caste people or the advocates with whom he had well acquaintance and also the disproportionate amounts spent for construction of building".

Contd..2

2. A regular departmental inquiry has been ordered against him, by nominating the Hon'ble Sri Justice P.Naveen Rao as Inquiring Judge to conduct the inquiry and also appointed Sri R.Tirupathi, Judge, Family Court-cum-Additional Chief Judge, City Civil Court, Hyderabad as presenting officer to present the inquiry on behalf of the High Court.

3. While so, Sri V.Appa Rao, the charged officer was retired from service on attaining the age of superannuation of 60 years on 30.06.2017. As such, as per Rule 9 of A.P. Revised Pension Rules, 1980, the disciplinary proceedings have been continued against the officer after his retirement. In view of the bifurcation of Common High Court Hon'ble Sri Justice M.Satyanarayana Murthy was nominated as Inquiring Judge in place of Hon'ble Sri Justice P.Naveen Rao and Sri B.V.L.N. Chakravarthi, Additional District Judge as presiding officer in place of Sri R.Tirupathi, Judge, Family Court.

4. The Hon'ble Sri Justice M.Satyanarayana Murthy, Inquiring Judge sent-up His Lordship's report together with record of enquiry holding that the charge Nos. 1, 3, 6, 8 & 9 are proved and charge Nos.2, 4, 5 & 7 are not proved against the charged officer.

5. The Hon'ble High Court, having considered the enquiry report together with the entire record of enquiry, issued show cause notice to the charged officer along with the reasons on which the Disciplinary Authority differed with the findings and conclusions arrived by the Hon'ble Inquiring Judge in respect of charge Nos.4 & 5 and accepting the findings and conclusions in respect of charge Nos. 1, 3, 6, 8 & 9, requiring him to submit his explanation/objections. The charged officer submitted his explanation/objections on the findings and conclusions recorded in the report.

6. Thereafter, having further considered the enquiry report and the explanation/objections received from the Charged Officer, the Hon'ble High Court recommended for imposition of a penalty of withholding fifty percent (50%) of admissible pension permanently, with effect from 01.12.2021 against Sri V. Appa Rao, Former Principal District Judge, Srikakulam, now retired from service.

7. The Government on the recommendations of Hon'ble High Court of Andhra Pradesh have examined the entire matter and have provisionally decided to impose the penalty of withholding fifty percent (50%) of admissible pension permanently, with effect from 01.12.2021. Accordingly, a show cause notice was issued to the Retired Judge vide reference 9th read above and he has submitted his explanation vide reference 10th read above. The A.P. Public Service Commission consulted in the matter has agreed the proposal in the reference 12th read above. A copy of the same is communicated to the individual concerned as per Rule 23 of APCS (CC&A) Rules, 1991.

Contd..3

8. The Government have examined carefully the findings of the Inquiring Judge, the entire record of the enquiry, the recommendation of the Hon'ble High Court and reply of the Charged Officer, hereby decided to impose the penalty of withholding fifty percent (50%) of admissible pension permanently, with effect from 01.12.2021 against Sri V. Appa Rao, former Principal District Judge, Srikakulam.

9. Accordingly, the following notification will be published in an Extraordinary issue of the Andhra Pradesh Gazette dt.11.04.2023.

NOTIFICATION

In exercise of the powers conferred by Sub-rule (1) of Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980, the Governor of Andhra Pradesh hereby imposes the penalty of withholding fifty percent (50%) of admissible pension permanently with effect from 01.12.2021 against Sri V.Appa Rao, former Principal District Judge, Srikakulam.

10. The Registrar (Vigilance), High Court of AP shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.SATYA PRABHAKARA RAO
SECRETARY TO GOVERNMENT
LEGAL & LEGISLATIVE AFFAIRS & JUSTICE

To

Sri V.Appa Rao, Former Principal District Judge, Srikakulam.
through the Registrar (Vigilance), High Court of A.P., Nelapadu, Guntur Dist.
The Registrar (Vigilance), High Court of A.P., Nelapadu, Guntur Dist.
The Commissioner of Printing, Stationary and Stores Purchase
(Printing Wing), Vijayawada for publication in the A.P.Gazette.
(He is requested to send 15 copies of the same immediately).

Copy to:

The Accountant General, A.P., Vijayawada.
The A.P. Vigilance Commission, 5th Block, AP Secretariat, Velagapudi, Guntur Dist.
The Secretary, A.P.Public Service Commission, New Govt., Offices Building, 2nd Floor, M.G. Road(Bandar Road), Opp:Indira Gandhi Municipal Complex, Vijayawada-520010.
P.S. to C.S./P.S. to Secretary (LA&J), Law Dept.
SF/SCs.

//FORWARDED::BY ORDER//

K Vijayalakshmi
SECTION OFFICER (SC)